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IN THE UNITED STATES DISTRICT COURT
FOR THE
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

U.S. EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION,

Plaintiff,

vs.

YUN'S CORPORATION and
TOWNHOUSE, INC.,

Defendants.

Civil Action No. 07-0031

ANSWER TO COMPLAINT

Yun's Corporation ("Yun's") and Town, Inc. ("Townhouse") respond to the
Complaint as follows:

1. No response is required to the introductory paragraph of the Complaint; to
the extent a response is required, Yun's and Townhouse deny any intentional or unlawful
discrimination with respect to the named charging party or any other individuals.

2. With respect to paragraph 1 of the Complaint, Yun's and Townhouse admit
that this Court has jurisdiction of the claim and that Plaintiff alleges certain statutes that
provide the Court with jurisdiction. Otherwise, the allegations in the paragraph are
denied.

3. With respect to paragraph 2 of the Complaint, Yun's and Townhouse admit
that venue lies in this Court; the remainder of the allegations in the paragraph is denied.

1 4. With respect to paragraph 3 of the Complaint, Yun's and Townhouse admit
2 to the same.

3 5. With respect to paragraph 4 of the Complaint, Yun's and Townhouse admit
4 the same.
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6 6. With respect to paragraph 5 of the Complaint, Yun's and Townhouse deny
7 the same.

8 7. With respect to paragraph 6 of the Complaint, Yun's and Townhouse deny
9 the same.

10 8. With respect to paragraphs 7 and 8 of the Complaint, Yun's and Townhouse
11 deny the same.
12

13 9. With respect to paragraph 9 of the Complaint, Yun's and Townhouse deny
14 the same, although it is admitted that at the time Yun's employed the charging party,
15 Yun's employed at least 15 individuals and engaged in interstate commerce as defined by
16 statute.
17

18 10. With respect to paragraph 10 of the Complaint, Yun's and Townhouse admit
19 the first sentence and deny the second sentence thereof.

20 11. With respect to paragraphs 11, 12, 13, and 14 of the Complaint, Yun's and
21 Townhouse deny the same.

22 12. Yun's and Townhouse deny any allegation not specifically admitted.
23

24 **AFFIRMATIVE DEFENSES**

25 1. Plaintiff has failed to state a claim upon which relief may be granted.
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1 2. Plaintiff's claim on behalf of the charging party and any other allegedly
2 similarly situated is barred in whole or in part by laches, estoppel, waiver, and the
3 applicable statute of limitations.
4

5 3. At all material times, Yun's and Townhouse acted in good faith toward the
6 charging party and similarly situated individuals.

7 4. Yun's would have taken the same actions with respect to the charging party
8 and similarly situated individuals in the absence of any impermissible motivating factor.

9 5. Charging party and similarly situated individuals are barred from obtaining
10 any relief as pleaded in the Complaint because of the failure to take reasonable,
11 necessary, appropriate, and feasible steps to mitigate their damages, if any.
12

13 **PRAYER FOR RELIEF**

14 For the foregoing reasons, Yun's and Townhouse pray that the Court grant the
15 following relief:

- 16 1. That Plaintiff and the charging party take nothing from the Complaint; and
17 2. That Yun's and Townhouse be awarded costs, fees, and such other relief as
18 appropriate under law and equity.
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20 Respectfully submitted this 24th day of March 2008.

21 Richard W. Pierce, Law Office, LLC

22 _____
 /s/

23 RICHARD W. PIERCE

24 For Yun's Corporation and Town, Inc.
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